

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

GRANT STANTON PRODUCE	)	
COMPANY, INC., STATE GARDEN,	)	
INC., TROPICAL BANANA	)	
COMPANY, INC., WALDO H. LAILER	)	
& COMPANY, INC. and J. MAHERAS	)	
CO., INC.,	)	
	)	
Plaintiffs,	)	Civil No. 2:08-cv-99-P-S
	)	
v.	)	
	)	
SANDLER BROS., MARK A.	)	
SANDLER, CANDICE O'BRIEN and	)	
MARJORIE R. SANDLER,	)	
	)	
Defendants.	)	

**ORDER ON CONSENT MOTION FOR ENTRY OF STIPULATED JUDGMENT**

Before the Court is Defendants' Consent Motion for Entry of Stipulated Judgment (Docket # 23). The Court hereby DENIES this Motion WITHOUT PREJUDICE.

Having reviewed the proposed judgment (Docket # 23-2), the Court has determined that it would be improper for the Court to enter the requested detailed factual findings as well as the proposed payment schedule as part of a judgment in this matter. Notably, Defendant cites no rule or other authority that allows for this Court to adopt as a judgment what is essentially a detailed settlement agreement between the two parties.

To be clear, the Court is not willing to enter as part of a stipulated judgment the "Findings" found in proposed judgment, nor the payment schedule laid out in paragraphs four and five. (See Ex. A (Docket # 23-2) at 1-6 (proposed findings) & 7-8 (proposed payment schedule).) If the parties have reached an agreement as to liability and the amount of damages owed, the Court is willing to enter a stipulated judgment to that

effect, as currently reflected in paragraphs one through three of the proposed judgment. (See Ex. A (Docket # 23-2) at 7.) If the parties wish the Court to enter such a stipulated judgment, they are free to refile the Consent Motion with a new proposed judgment attached. However, any agreements between the parties as to how the stipulated judgment will be paid should be handled via a separate agreement.

SO ORDERED.

/s/ George Z. Singal  
Chief U.S. District Judge

Dated this 24th day of November, 2008.